

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on Plaintiff's motion to seal portions of Defendant's Proposed Reply in Support of its Motion for Sanctions, filed on April 13, 2022, as an exhibit to Defendant's Motion for Leave to File a Reply in Support of its Motion for Sanctions. Plaintiff seeks to seal this information on the ground it contains sensitive business information. (Mot. Seal [DE #607] at 1.) Plaintiff has filed a proposed redacted version of the filing, omitting the portions it contends should not be available to the public.

For the reasons set forth in Plaintiff's motion and supporting memorandum, the court finds that the public's common law right of access is outweighed by Plaintiff's interests in protecting against competitive and/or financial harm to Plaintiff were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of Plaintiff's request to seal and a reasonable opportunity to object have been provided by the filing of its motion. Defendant filed an unopposed motion for leave to file a response in opposition to Plaintiff's motion to

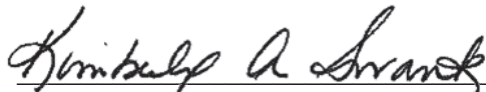
seal (*see* Mot. Leave [DE #631], but it has since withdrawn its opposition to Plaintiff's motion to seal (*see* Jt. Stip. Dismissal [DE #655] at 1 (withdrawing opposition to Plaintiff's motion to seal)) and no other objections have been filed with the court. Plaintiff has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known. Furthermore, the parties have since settled all matters in controversy between them. Consequently, the sealed document will not be the subject of any ruling by the court. Plaintiff's motion is therefore allowed.

CONCLUSION

For the foregoing reasons, it is hereby ORDERED as follows:

1. Plaintiff's Motion to Seal [DE #607] is GRANTED. Defendant's Proposed Reply in Support of its Motion for Sanctions [DE #602-1] shall be SEALED. A redacted version is available at DE #608-2; and
2. Unless a motion to seal is filed within seven (7) days of the entry of this order, the clerk shall UNSEAL Defendant's Motion for Leave to File a Reply in Support of its Motion for Sanctions [DE #602] and the proposed order attached as an exhibit thereto [DE #602-2].

This 29th day of December 2022.


KIMBERLY A. SWANK
United States Magistrate Judge